

**HOUSE BUDGET & RESEARCH OFFICE**

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**HOUSE COMMUNICATIONS**

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**TOMORROW'S FORECAST**

\* The House will reconvene for its 35th Legislative Day on Wednesday, March 20, at 10:00 AM.

\* 4 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES*****DAILY REPORT*****Thursday, March 14, 2013****34th Legislative Day****TODAY ON THE FLOOR**

Today the House adopted an Adjournment Resolution, setting the rest of the 2013 session schedule and the date for the Georgia House of Representatives to adjourn Sine Die.

**HR 738 - Adjournment; relative to****- BILL SUMMARY:**

Thursday, March 21	Legislative Day 36
Friday, March 22	Legislative Day 37
Monday, March 25	Legislative Day 38
Tuesday, March 26	Legislative Day 39
Thursday, March 28	Legislative Day 40 (Sine Die)

**- Authored By:** Rep. Larry O'Neal of the 146th

**- Yeas:** 162; **Nays:** 1

**MOTIONS TO AGREE****HB 101 - Nonprofit organizations; exclude certain events from "food service establishment" definition**

**- BILL SUMMARY:** The bill amends Code Section 26-2-370 of the O.C.G.A. so as to exclude certain events held by nonprofit organizations, from the definition of "food service establishment" and to amend Code Section 26-2-391 relating to permits for nonprofit food sales and food service events, so as to allow counties or municipalities to delegate permitting authority to the local board of health and to repeal conflicting laws.

**Section 1**

In Code Section 26-2-370 subparagraph (2) line 34 the term 'a fair or festival' is struck and replaced with the words 'an event.'

**Section 2**

Code Section 26-2-391 provides new language which allows 'that the county or municipality may delegate the authority to issue such permits to the county board of health.' Also provides that no fees shall be charged to an organization for the issuance of such permit.

**Section 3**

All laws and parts of laws in conflict with this Act are repealed.

**- Authored By:** Rep. James Epps of the 144th

**- House Committee:** Agriculture & Consumer Affairs

**- A motion to agree represents final passage of this bill.**

## **HB 198 - Patient Protection and Affordable Care Act; licensing of health insurance navigators; provide**

- BILL SUMMARY: HB 198 provides for limited licensing by the Commissioner of Insurance for individuals serving as "Navigators" under the federal Patient Protection and Affordable Care Act (ACA). It also establishes the criteria to get and maintain that license. They are:

(1) The applicant shall establish to the satisfaction of the Commissioner that he or she has the background, experience, knowledge, and competency in the subject matter that will enable him or her to deliver accurate information and advice to individuals and groups in this state seeking to obtain health insurance coverage under the provisions of the federal act;

(2) The applicant shall have successfully completed not less than 35 hours of instruction in health benefit insurance and the exchange provisions of the federal act satisfactory to the Commissioner through a training program approved by the Commissioner;

(3) The applicant shall pass such examination as shall be required by the Commissioner unless such applicant is exempted by the Commissioner based on the applicant's experience and qualifications and pursuant to regulations adopted by the Commissioner;

(4) An applicant shall be not less than 18 years of age and of good moral character and must submit in a form approved by the Commissioner such information, including without limitation criminal history and regulatory background information, as the Commissioner may require; and

(5) An applicant for a renewal license shall have completed continuing education classes approved by the Commissioner.

- **Authored By:** Rep. Richard Smith of the 134th

- **House Committee:** Insurance

- *A motion to agree represents final passage of this bill.*

## **HB 202 - Highways, bridges, and ferries; performing value engineering studies; provide requirements**

- BILL SUMMARY: This is the annual GDOT bill and amends two sections of the Code. Section 1 amends Code Section 32-2-41.2, relating to the development of benchmarks, reports, and value engineering studies by the Department of Transportation to require value engineering studies to be performed on all projects whose costs exceed \$50 million, except for any design build projects. Section 2 amends Code Section 32-5-30, relating to congressional balancing of funds. Congressional balancing currently is not applied to any federal funds specifically designated for projects earmarked by a member of Congress in excess of appropriated funds but this legislation would also exclude from the balancing requirement any funds for a project undertaken for purposes of improving the Eisenhower Interstate System, and any funds for a project undertaken for improving any part of the state designated freight corridor, when the designation is made by the director or planning with the approval of a majority of the board.

The committee substitute included language resolving an issue with last year's emergency tow permit created by HB 835.

- **Authored By:** Rep. James Epps of the 144th

- **House Committee:** Transportation

- *A motion to agree represents final passage of this bill.*

## **HB 254 - Motor vehicles; electronic proof of insurance may be accepted under certain circumstances; provide**

- BILL SUMMARY: HB 254 allows that an electronic copy of ones "proof of insurance" may be accepted by law enforcement as proof of valid insurance. Currently, only the paper copy issued by the individuals' insurance company is acceptable.

- **Authored By:** Rep. Bruce Williamson of the 115th

- **House Committee:** Insurance

- *A motion to agree represents final passage of this bill.*

## **RULES CALENDAR**

### **HR 218 - Local school superintendents; recognize that learning the United States Constitution is a vital facet of primary education; request**

- BILL SUMMARY: House Resolution 218 requests that all local school superintendents in Georgia recognize that teaching the United States Constitution is an essential part of the curriculum for primary education.
- **Authored By:** Rep. Barbara Sims of the 123rd
- **House Committee:** Education
- **Rule:** Modified-Open
- **Yeas:** 160; **Nays:** 1

### **HR 410 - International Olympic Committee; keep wrestling in Olympic games after 2016 Olympics in Rio de Janeiro, Brazil; request**

- BILL SUMMARY: HR 410 is a resolution requesting that the International Olympic Committee keep wrestling in the Olympic Games after the 2016 Olympics in Rio de Janeiro, Brazil.
- **Authored By:** Rep. Mike Glanton of the 75th
- **House Committee:** Governmental Affairs
- **Rule:** Modified-Open
- **Yeas:** 135; **Nays:** 15

### **HR 532 - United States Army Corps of Engineers (USACE); utilize adaptive management techniques to control lake levels and river flows within Savannah River Basin; request**

- BILL SUMMARY: This resolution requests that the United States Army Corps of Engineers (USACE) utilize adaptive management techniques to control lake levels and river flows within the Savannah River Basin.
- **Authored By:** Rep. Alan Powell of the 32nd
- **House Committee:** Natural Resources & Environment
- **Rule:** Modified-Open
- **Yeas:** 160; **Nays:** 1

### **SB 61 - "Georgia Self-service Storage Facility Act of 2013" change the due date for monthly rental payments**

- BILL SUMMARY: SB 61 changes some provisions in the Georgia Self-service Storage Facility Act.

It brings provisions up to date by adding electronic options for notification and advertisements, changes the due date for monthly rental payments, clarifies language regarding notification of enforcement of Owner's lien and changes provisions regarding delivery of the notification.

In addition, it adds Code provisions for a reasonable late fee and a towing option for Owners who have a lien on a motor vehicle or watercraft after 60 days of maturity of the rental obligation. Finally, it adds special treatment for service members who are overseas on active duty.

- **Authored By:** Sen. Jesse Stone of the 23rd
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Amendments(s):** Holcomb AM, Jacobs AM, Williams AM
- **Yeas:** 159; **Nays:** 4

### **SB 66 - Courts; increase penalties that can impose for contempt of superior and state courts**

- BILL SUMMARY: SB 66 raises the ceiling of fines for a contempt that a superior or state court may impose from \$500 to \$1000.
- **Authored By:** Sen. Jesse Stone of the 23rd
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 116; **Nays:** 49

## **SB 81 - Forest Resources; shorten the legal season for harvesting ginseng**

- BILL SUMMARY: Section 1

The bill shortens the harvesting season for ginseng from September 1 to December 31, instead of August 15 to December 31.

### **Section 2**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

### **Section 3**

All laws and parts of laws in conflict with this Act are repealed.

- **Authored By:** Sen. John Wilkinson of the 50th
- **House Committee:** Agriculture & Consumer Affairs
- **Rule:** Modified-Open
- **Yeas:** 133; **Nays:** 28

## **SB 193 - "Uniform Interstate Family Support Act"; update**

- BILL SUMMARY: SB 193 updates the Uniform Interstate Family Support Act (UIFSA), last revised in 1996, which provides a substantive and procedural framework for the establishment, modification and subsequent enforcement of support orders among the states. Since then, UIFSA has been modernized to streamline interstate cooperation and to comply with the new Hague Maintenance Convention.

- **Authored By:** Sen. Bill Cowsert of the 46th
- **House Committee:** Juvenile Justice
- **Rule:** Modified-Open
- **Yeas:** 164; **Nays:** 0

## **LOCAL CALENDAR**

### **HB 569 - Bibb County State Court; provide additional judge**

- BILL SUMMARY: A Bill to amend an Act establishing the State Court of Bibb County, so as to provide an additional judge for said court; to provide for the election and terms of office for the judges of said court; to provide for compensation.

- **Authored By:** Rep. Allen Peake of the 141st
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 151; **Nays:** 1

### **HB 570 - Bibb County; Civil Service Board; Civil Service System; provide for award of attorney's fee under certain conditions**

- BILL SUMMARY: A Bill to amend an Act creating a Civil Service System and a Civil Service Board for Bibb County so as to provide the award of an attorney's fee under certain conditions.

- **Authored By:** Rep. Allen Peake of the 141st
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 151; **Nays:** 1

### **HB 573 - Whitfield County; provide for creation of one or more community improvement districts**

- BILL SUMMARY: A Bill to provide for the creation of one or more community improvement districts in Whitfield County.

- **Authored By:** Rep. Tom Dickson of the 6th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 151; **Nays:** 1

### **HB 574 - Johns Creek; City of; clarify cap on changing millage rate for ad valorem property taxes**

- BILL SUMMARY: A Bill to incorporate the City of Johns Creek so as to clarify the cap on changing the millage rate for ad valorem property taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

- **Authored By:** Rep. Lynne Riley of the 50th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 151; **Nays:** 1

**HB 576 - Wilcox County; board of elections and registration; create**

- BILL SUMMARY: A Bill to create the Wilcox County Board of Elections and to provide for its powers and duties.
- **Authored By:** Rep. Buddy Harden of the 148th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 151; **Nays:** 1

**HB 578 - Columbia County; health insurance program; revise the time for vesting for certain officials**

- BILL SUMMARY: A Bill to amend an Act to provide certain officials of Columbia County who have served at least 15 years in office may continue to participate in the county health insurance program upon leaving office.
- **Authored By:** Rep. Ben Harbin of the 122nd
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 151; **Nays:** 1

*\* The House will reconvene Wednesday, March 20, at 10:00 AM, for its 35th Legislative Day.*

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## **COMMITTEE ON RULES**

**The Committee on Rules has fixed the calendar for the 35th Legislative Day, Wednesday, March 20, and bills may be called at the pleasure of the Speaker.**

## **NEXT ON THE FLOOR**

**HR 529 - House Georgia Music Industry Study Committee; create**

- BILL SUMMARY: House Resolution 529 calls for the creation of the House Georgia Music Industry Study Committee which will be composed of five members who will be appointed by the Speaker. The committee will be charged with examining the issues facing Georgia's music industry, identify opportunities, and explore strategies to retain existing industry and talent and ensure growth, investment, and jobs.
- **Authored By:** Rep. Ben Harbin of the 122nd
- **House Committee:** Economic Development & Tourism
- **House Committee Passed:** 3/12/2013
- **Rule:** Modified-Open

**SB 120 - Probate Courts; provide for prosecuting attorneys in counties where there is not state court**

- BILL SUMMARY: SB 120 establishes the process for counties to provide solicitors in probate courts that hear traffic cases. The county has discretion whether to ask for the service, and the district attorney has the right of first refusal to provide it. If the DA declines, the county may contract with a private attorney.
- **Authored By:** Sen. John Crosby of the 13th
- **House Committee:** Judiciary
- **House Committee Passed:** 3/12/2013
- **Rule:** Modified-Open

**SB 136 - "Kyle Glover Boat Education Law" and "Jake and Griffin BUI Law"; provide for greater public protection for hunting and boating**

- BILL SUMMARY: SB 136 (LC 29 5618ERS-EC)

Changes are made to the legal limit for Boating Under the Influence (BUI) charges, lowering the legal limit for alcohol consumption to .08 grams from .10 grams. The presence of other illegal substances can all suffice for a BUI charge. Failure to submit to a chemical test, or the failure of a chemical test, may provide grounds for the suspension of an individual's license, hunting or otherwise, as well as imprisonment of not fewer than 10 days nor more than 12 months. Similar changes were also made to the rules surrounding Hunting Under the Influence (HUI). Under this bill a DUI, BUI, or HUI would all be treated the same legislatively.

Children up through the age of 12 are required to have a life jacket on in the boat while it is in motion, and those 12 through 15 years of age may operate a personal water craft if he or she is accompanied by an adult 18 years of age or older or he or she has successfully completed a boating education course approved by the department.

On and after July 1, 2014, a person 16 years of age or older may rent or lease any vessel ten horsepower or more if such person has completed a boating education course approved by the department.

- **Authored By:** Sen. Butch Miller of the 49th
- **House Committee:** Game, Fish, & Parks
- **House Committee Passed:** 3/12/2013
- **Rule:** Modified-Structured

### **SB 212 - Education; require schools to provide training in cardiopulmonary resuscitation**

- BILL SUMMARY: Senate Bill 212 would require schools to provide training in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator for students in grades nine through twelve.

- **Authored By:** Sen. Jeff Mullis of the 53rd
- **House Committee:** Education
- **House Committee Passed:** 3/12/2013
- **Rule:** Modified-Open

*\* The Rules Committee will next meet on Wednesday, March 20, at 9:00 AM, to set the Rules Calendar for the 36th Legislative Day.*

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## **COMMITTEE ACTION REPORT**

### **Higher Education**

#### **SB 82 - Education; change designations from North Georgia College to the University of North Georgia**

- BILL SUMMARY: SB 82 changes the designation of North Georgia College to the University of North Georgia, and designates the University of North Georgia as the senior military college of Georgia.

- **Authored By:** Sen. Steve Gooch of the 51st
- **Committee Action:** Do Pass

### **Higher Education**

#### **SB 155 - Georgia Higher Education Assistance Corporation; change membership to accommodate Fourteenth Congressional District**

- BILL SUMMARY: SB 155 changes the membership of the Georgia Higher Education Assistance Corporation by adding a 14th member to the board of directors to reflect the addition of the 14th Georgia Congressional District.

The bill also allows GSFC to incorporate one or more nonprofit corporations to aid in the authority in carrying out any of its powers, duties, and functions.

- **Authored By:** Sen. Steve Gooch of the 51st
- **Committee Action:** Do Pass by Committee Substitute

### **Insurance**

#### **SB 185 - Banking; secured transactions; change/provide for definitions; electronic chattel paper; provisions**

- BILL SUMMARY: SB 185 provides necessary updates to Article 9, Secured Transactions, of the Uniform Commercial Code.

- **Authored By:** Sen. Jesse Stone of the 23rd
- **Committee Action:** Do Pass by Committee Substitute

## Judiciary

### **HR 644 - House Study Committee on Timber Security; create**

- BILL SUMMARY: HR 644 creates a House Timber Security Study Committee to study the unauthorized taking of wood and to establish penalties for those who take timber without authorization. The committee will be comprised of the Chairman of the House Judiciary Committee, five representatives appointed by the Speaker, and one member of the local law enforcement community and the forestry community appointed by the Speaker.
- **Authored By:** Rep. Wendell Willard of the 51st
- **Committee Action:** Do Pass

## Judiciary

### **SB 1 - Child's Health Insurance Information and Records; provide that both parents have equal access**

- BILL SUMMARY: SB 1 prohibits health insurance policies from denying a parent the right to inspect, review, or attain copies of health insurance records relating to his or her own child. The health insurance records must be equally available to both parents unless a court order specifically removes the right of a noncustodial parent to such information or unless parental rights have been terminated.
- **Authored By:** Sen. William Ligon, Jr. of the 3rd
- **Committee Action:** Do Pass

## Judiciary

### **SB 113 - Civil Practice; personal service of a summons on a corporation; provisions**

- BILL SUMMARY: SB 113 removes a 'cashier,' 'secretary,' and 'other agent' from service of process to a corporation. In addition, the bill defines 'managing agent.'
- **Authored By:** Sen. Emanuel Jones of the 10th
- **Committee Action:** Do Pass by Committee Substitute

## Judiciary

### **SB 158 - Temporary Medical Consent Guardianship; Physician Order for Life-sustaining Treatment; change certain signatures**

- BILL SUMMARY: SB 158 corrects a drafting error in Code section 29-4-18 to clarify that a Physician Order for Life-sustaining Treatment (a specific form to be developed by the Department of Public Health) is voluntarily executed by a patient or his or her authorized representative, and a physician.
- **Authored By:** Sen. Nan Orrock of the 36th
- **Committee Action:** Do Pass by Committee Substitute

## Judiciary

### **SB 168 - Public Contracts; contracting and bidding requirements**

- BILL SUMMARY: SB 168 prevents bids from being disqualified based upon lack of previous experience with similar size jobs provided that the bid proposal is no greater than 30% in scope or cost from the builder's previous experience in jobs.
- **Authored By:** Sen. Lindsey Tippins of the 37th
- **Committee Action:** Do Pass by Committee Substitute

## Judiciary

### **SB 179 - Public Contracts; if sealed competitive proposal requested/price or project cost not a selection factor; no bid bond shall be required**

- BILL SUMMARY: SB 179 clarifies when a bid bond is required on a public works contract, corrects some cross-references for payment bonds and establishes when public owners have the authority to utilize both liquidated damages and early contract completion incentives when a project schedule is deemed to have value.
- **Authored By:** Sen. Hunter Hill of the 6th
- **Committee Action:** Do Pass by Committee Substitute

## Judiciary

### **SB 185 - Banking; secured transactions; change/provide for definitions; electronic chattel paper; provisions**

- BILL SUMMARY: SB 185 provides necessary updates to Article 9, Secured Transactions, of the Uniform Commercial Code.
- **Authored By:** Sen. Jesse Stone of the 23rd
- **Committee Action:** Do Pass by Committee Substitute

## Natural Resources & Environment

### **SB 11 - Georgia Geospatial Advisory Council; reestablish; membership; duties**

- BILL SUMMARY: SB 11 creates the Georgia Geospatial Advisory Council and states that the Environmental Protection Division shall coordinate its creation. The bill delineates the council's membership, which shall consist of the executive officer, or his or her designee, of the following entities:

- (A) Association County Commissioners of Georgia;
- (B) Department of Community Affairs;
- (C) Department of Economic Development;
- (D) Department of Homeland Security;
- (E) Department of Natural Resources;
- (F) Department of Public Health;
- (G) Department of Revenue;
- (H) Department of Transportation;
- (I) Environmental Protection Division;
- (J) Georgia Association of Regional Commissions;
- (K) Georgia Emergency Management Agency;
- (L) Georgia Environmental Finance Authority;
- (M) Georgia Municipal Association;
- (N) Georgia Technology Authority;
- (O) Office of Planning and Budget;
- (P) State Forestry Commission; and
- (Q) State Properties Commission

The bill also states that the chairperson of the Georgia Geographical Information Systems Coordinating Committee shall serve in the council in a nonvoting advisory capacity.

The bill also states that councilmembers will not be compensated for their services as members of the council, but their travel expenses may be covered by the entity they represent.

The bill goes on to list the council's duties, which consist of monitoring, studying and ascertaining Georgia's present geospatial capabilities, the need for strengthening capabilities, and the extent to which such needs are currently met; planning for a sustainable state geographical information systems program; seeking input from relevant stakeholders; compiling and disseminating reports; coordinating with and making recommendations to the Governor, the General Assembly, state agencies, counties, municipalities, and other political subdivisions of Georgia regarding geographical information systems; and adopting bylaws for the conduct of its business.

The bill requires the council to produce an audit of Georgia's geospatial capabilities that contains a complete status update and recommendations for utilizing Georgia's geospatial capabilities to meet Federal Emergency Management Agency notification requirements, recommendations for moving forward to achieve governmental data interoperability and enhanced delivery of services to Georgia citizens through the geospatial approach, and any other geospatial technology.

The new code section would be repealed on June 30, 2016.

- **Authored By:** Sen. Earl "Buddy" Carter of the 1st
- **Committee Action:** Do Pass by Committee Substitute



## **Natural Resources & Environment**

### **SB 156 - Surface Mining; revise a definition**

- BILL SUMMARY: SB 156 relates to definitions relative to surface mining and states that the term "borrow pit" does not include excavated areas of fewer than five acres which are incidental to forestry land management and from which no earthen material is removed for sale.
- **Authored By:** Sen. Ross Tolleson of the 20th
- **Committee Action:** Do Pass

## **Natural Resources & Environment**

### **SB 194 - Natural Resources Dept.; include an exemption for restoration of certain barns; promote Georgia tourist destinations**

- BILL SUMMARY: SB 194 relates to powers and duties of DNR relative to historic preservation and promotion and adds a new paragraph to O.C.G.A. 12-3-50 that states that nothing in this code section prohibits someone from restoring or utilizing an agricultural structure, including barns, erected before 1965 that previously promoted Georgia tourist destinations to the traveling public for the purpose of advertising or promoting Georgia products or tourist destinations. DNR shall approve applications for such structures so long as no public funds from Georgia are used in connection with the restoration of utilization.
- **Authored By:** Sen. Jeff Mullis of the 53rd
- **Committee Action:** Do Pass

## **Natural Resources & Environment**

### **SR 267 - U.S. Army Corps of Engineers; urge to close Noyes Cut in the Satilla River System**

- BILL SUMMARY: SR 267 urges the United States Army Corps of Engineers to implement the proposed project for plugging the Noyes Cut within the Satilla River System.
- **Authored By:** Sen. William Ligon, Jr. of the 3rd
- **Committee Action:** Do Pass

*\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

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## **COMMITTEE MEETING SCHEDULE**

### **Friday, March 15, 2013 : No Meetings Today**

*\* This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit [www.house.ga.gov](http://www.house.ga.gov) and click on [Meetings Calendar](#).*